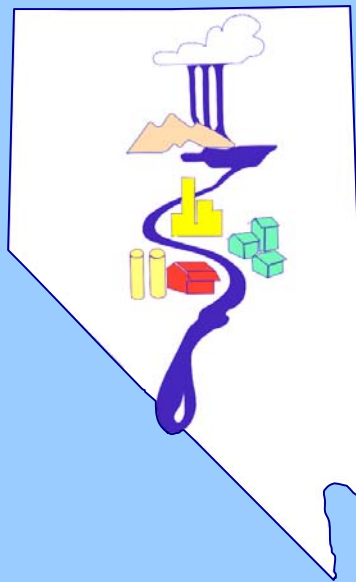


Nevada Nonpoint Source Pollution Management Program



REQUEST FOR PROPOSALS

Guidance Document

and

Application Instructions

November 2004

GUIDANCE DOCUMENT

Introduction

The Nevada Nonpoint Source Pollution Management Program is seeking proposals from public agencies, educational institutions and nongovernmental organizations to address nonpoint sources of pollution in Nevada. Approximately \$1.5 million of federal funds are available under the authority of Section (§) 319 of the Clean Water Act (CWA).

Congress established the national Nonpoint Source Pollution Program (NPS Program) with passage of the 1987 amendments to the CWA. Although some progress has been made over the past 17 years, NPS pollution continues to be the primary cause of water quality impairments throughout Nevada and the nation. In recent years, the U.S. Environmental Protection Agency (EPA) has increased the NPS Program focus on 303(d) listed waters, emphasizing the development and implementation of total maximum daily loads (TMDLs) to help solve water quality problems at the watershed level. Nevada's 2002 303(d) Impaired Waters List is available online at: <http://ndep.nv.gov/bwqp/303dlist.htm>. Information regarding Nevada's TMDL Program is available online at: <http://ndep.nv.gov/bwqp/tmdl.htm>.

Funding Guidelines

To support the focus on 303(d) listed waters, EPA has directed that approximately one half of §319 funds provided to states be used to develop and implement TMDLs or watershed-based plans with nine required elements (see Attachment A), with the caveat that no more than 20% of the funds be used for planning, assessment or developing (versus implementing) TMDLs and TMDL/ watershed-based implementation plans.

Based on EPA guidance and Nevada NPS Program priorities, the available funding will be distributed as follows:

1. Planning or TMDL development projects:

The Nevada NPS Program is currently using all available funding to develop TMDLs for the Carson River from Stateline to Weeks and Lake Tahoe. Therefore, no funds are available at this time for planning, assessment or TMDL development projects.

2. TMDL or watershed plan implementation projects:

- a.** Approximately \$750,000 are available for projects that have broad inter-agency support and implement restoration and/or public education components of TMDL implementation or watershed-based plans in the following watersheds:
 - i.** Lake Tahoe Basin—projects must implement components of the Environmental Improvement Program.
 - ii.** Las Vegas Wash—projects must implement components of the Las Vegas Wash Comprehensive Adaptive Management Plan.

- iii. Carson River Basin from the Stateline to Weeks—projects must address significant sources of the 303(d) listed pollutants.

NOTE: Agencies that have developed a TMDL implementation or watershed-based plan for other 303(d) listed waters, may submit the plan [including documentation of how the plan meets the “nine-required elements” (see Attachment A)] concurrently with proposals for projects that implement restoration and/or public education components of the plan. Upon review and approval of the plan, proposals will be considered for funding.

- b. Approximately \$750,000 are available for implementation or public education projects that address 303(d) listed waters or protect non-impaired waters in the Truckee, Carson, Walker, Humboldt and Colorado River basins and the Lake Tahoe watershed.

Eligible Activities

- ◆ Direct implementation of best management practices (BMPs) or demonstration of new and innovative BMP technology;
- ◆ Training and/or technical assistance for landowners regarding BMP installation and/or maintenance;
- ◆ Monitoring to measure project effectiveness;
- ◆ Education to raise the level of public awareness about NPS pollution, its effect on water quality and associated controls;
- ◆ Urban storm water activities that are not specifically required by a draft or final National Pollutant Discharge Elimination System (NPDES) or Phase I/II Stormwater permit.

Ineligible Activities

- ◆ Planning, assessment, research or TMDL development activities;
- ◆ Specific requirements of a draft or final NPDES or Phase I or II Stormwater permit;
- ◆ Ambient monitoring or monitoring to determine if a waterbody is impaired.

Proposal Evaluation Criteria

Allocation of the available funds will be competitively determined. The following criteria will be considered during evaluation and ranking of the proposals.

- 1. Water quality benefit** – Proposal clearly describes how the project will contribute to the restoration, enhancement or preservation of the ecological integrity of Nevada’s waters.
- 2. State priority** – As described above under Funding Guidelines; additionally, we are interested in supporting projects that partner with the Conservation and Resource Protection (Question One) Grant Program, projects that integrate the USDA Environmental Quality Incentives Program (EQIP) funding, and projects that incorporate low impact development (LID) techniques.
- 3. Interagency coordination** – Proposal clearly defines level of commitment from cooperating agencies and outlines the roles and responsibilities of each.
- 4. Project maintenance** – If applicable, proposal clearly describes the proponent’s willingness and ability to maintain the project for the design life.

5. **Program evaluation** – Proposal clearly defines how progress in meeting the projects goals and objectives will be evaluated and/or monitored.
6. **Public education and participation** – Public education/outreach proposals identify the target audience and outline effective outreach methods and measures of success. Implementation proposals include specific efforts to educate the public about the project and, if appropriate, transfer technology to potential users.
7. **Project cost effectiveness** – Proposal minimizes administrative, overhead and indirect costs, and equipment purchases.
8. **Past performance of applicant (if applicable)** – Performance on previous NPS §319 projects, such as timeliness and accuracy of reports and invoices, and the fulfillment of all contract requirements will be considered.
9. **Quality and completeness of the proposal, including conformance to the Application Instructions contained in this RFP** – The Nevada NPS Program considers the quality of the proposal to reflect the quality of the work that will be performed by the contractor.

Important Things to Consider Before and During Proposal Development

1. NDEP contract – Applicants of projects selected for funding will be required to enter into a contract with the State of Nevada. The contract forms and specific NDEP terms and conditions have been developed and approved by the State of Nevada, NDEP Administrator and NDEP Deputy Attorney General. Applicants must be willing to accept **(without revision)** the language and conditions contained in the contract forms. Copies of the state contract and agency terms and conditions will be provided upon request.

NOTE: *additional liability insurance requirements are imposed on Independent Contractors or Sub-contractors. Please contact us for information if you anticipate sub-contracting with an Independent Contractor (i.e. consulting firm or private business) for a portion of the proposed work.*

2. Funds are available on a reimbursable basis only – Applicants must have the ability to pay for project expenses up front and then request reimbursement from NDEP through the submittal of quarterly invoices.

NOTE: *a provision for advance payment is available for hardship cases, but this is the exception rather than the rule.*

3. Non-federal match requirement – The match contribution verifies local support and commitment and provides opportunity to increase the overall project scope. The budget must include **non-federal** cash and/or in-kind match funds of at least 50% of the total project cost. For example, if the total cost is \$50,000 then a maximum \$25,000 in Section 319 funds may be requested and \$25,000 non-federal match must be provided. **Letters of commitment from agencies providing cash match funds must be submitted with proposal.** See Project Budget on page 9 for more information regarding cash and in-kind match.

4. Monitoring – The workplan must include a monitoring component. Be sure to include costs associated with monitoring in the budget. See page 8 for more information.

5. Permits -- Permits may be required for some implementation projects. If appropriate, be sure to allow for permit costs in the budget. See Attachment B for more information.

6. Project Maintenance -- BMPs implemented for the project must be properly operated and maintained for the intended purposes during the expected lifespan of the practice. The workplan should identify the expected life span of each practice and outline an appropriate inspection and maintenance schedule. If appropriate, provisions must be made for operation and maintenance after the terms of the contract.

7. Final Report -- A detailed final report must be submitted by the contractor and approved by NDEP before the expiration date of the contract and before the last invoice is paid. Be sure to include final report preparation costs in the budget and allow ample time in the project timeline.

8. Contractors' Workshop -- Applicants selected for funding will be required to attend a contractors' workshop. The objectives of the workshop are to assist applicants in developing final contract workplans and applicable monitoring plans, and familiarize the applicants with all contract requirements including permits, reporting, record keeping and invoice submittal. We anticipate holding the workshops in April 2005 at several locations statewide to accommodate applicants and minimize travel costs. Specific dates and locations will be announced shortly after notification of project selection.

Selection Process and Award Schedule

Application/Proposal Due Date	December 30, 2004
NDEP/USEPA Region IX Review & Selection	January 3 – February 18, 2005
Applicant Notification/Contract Development	February 21 – April 1, 2005
Contractor's Workshop (Awardees only)	April 2005

Submittal Instructions

Hard copy and electronic applications are required, and must be received by 5:00 p.m., Thursday December 30, 2004.

Submit 5 hard copies of the complete application to:

Nevada Nonpoint Source Pollution Management Program
Nevada Division of Environmental Protection
Bureau of Water Quality Planning
333 W. Nye Lane, Suite 138
Carson City, NV 89706-0851

Submit an electronic application in Word (preferred) or WordPerfect* to one of the email addresses listed below:

Danielle Henderson	(775-687-9445)	dhenders@ndep.state.nv.us
Jason Kuchnicki	(775-687-9450)	jkuchnic@ndep.state.nv.us
Mary Kay Riedl	(775-687-9454)	mriedl@ndep.state.nv.us

Kathy Sertic
Jean Stone

(775-687-9455)
(775-687-9456)

ksertic@ndep.state.nv.us
jstone@ndep.state.nv.us

** NOTE: PDF files will not be accepted!*

Please contact the NPS Program staff if you have any questions concerning the application, or if you would like to discuss project ideas (particularly if there are any questions regarding project eligibility). We may contact you for further information or to request a project site visit during the review process.

APPLICATION INSTRUCTIONS

The proposal must contain the following components:

1. Proposal Cover Page

- a. **Project Title** - Be succinct; clearly identify the type of project.
- b. **Lead Agency** - State the name of the entity that will be entering into the legal contract.
- c. **Primary Contact** - Provide the name, title, address (street and email) and phone number of the person overseeing the project.
- d. **Project Location** - Identify the watershed and the affected waterbody (ies). Use Attachment C to identify the hydrologic unit code (HUC) for the project area. Provide GPS coordinates or latitude and longitude if available.
- e. **Project Summary** - In 150 words or less, provide a brief description of the project. Include the water quality problem, the project goal and objectives, and activities to address the problem.
- f. **Anticipated Start and Completion Dates.**
- g. **Fiscal Summary** - Provide total project cost, 319 funds and non-federal match.
- h. **Project Partners** - Provide information for any partners involved with the project, including primary contact information (street and email addresses, phone and fax numbers). Attach letters of support.

2. Scope of Work (Workplan)

- a. **Introduction or Problem Statement** - Provide a succinct description of the water quality problem addressed by the project:
 - ◆ Identify the waterbody(ies), NPS pollutant(s), source(s) of concern and extent of the problem;
 - ◆ Summarize and reference any data that documents the problem;
 - ◆ Provide pertinent watershed information such as land use, human activities, ecosystem characteristics;
 - ◆ If applicable, describe how project supports an existing or planned watershed plan or TMDL;
 - ◆ Provide a site map that clearly delineates the project area.
- b. **Goals** - Explain the overall goal(s) of the project.
EXAMPLE: Repair condition of riparian corridor to ultimately improve water quality and biological health of river system.

c. Tasks –

- ◆ Describe the specific project objectives/activities that will be accomplished;
- ◆ Detail the methods used to accomplish all project tasks
- ◆ State the specific roles and responsibilities of all organizations or agencies involved;
- ◆ Describe how the public will be involved in or made aware of the project;
- ◆ Describe how the project will be continued or maintained upon expiration of the contract.
- ◆ List all deliverables under each specific task

3. Program Evaluation

- a. Measures of Success** - Identify indices, parameters and criteria that will be used to gauge project success. Measures of success and success criteria should be quantitative rather than qualitative.

EXAMPLE 1: Restore 50 acres of riparian zone

EXAMPLE 2: Remove 300 ft² of impervious cover

- b. Monitoring Program** - All projects must include a plan detailing specific methods that will be used to monitor, measure, track and/or calculate the Measures of Success. Although the level of effort will depend on the specific activities of the project, a suitable program will incorporate an adequate balance of the following monitoring types:

- i. Implementation monitoring** - assesses whether activities were implemented as planned; the information provides immediate feedback on whether the project is being carried out as intended or according to specifications.
- ii. Effectiveness monitoring** - is used to evaluate whether project activities resulted in the intended or desired effect (as related to project goals and objectives). Evaluating the affect of a specific BMP on water quality may require detailed measurements utilizing specialized methods. In such cases, a Quality Assurance Project Plan (QAPP) must be approved by NDEP prior to the collection of environmental data.
- iii. Vegetation monitoring** - may be a subset of either implementation or effectiveness monitoring, and is required for projects that involve restoration or re-vegetation. This type of monitoring involves determining one or more of the following: 1) percent survival, 2) percent desirable (native) species, and/or 3) percent cover.
- iv. Maintenance inspection** - involves the regular inspection of implemented BMPs to ensure that they are functioning according to specifications. This type of monitoring is required for all implementation projects.

- 4. Contingency Plan** - Describe alternative actions to be taken if the project cannot be completed as originally proposed.

- 5. Project Timeline** - Identify key dates/time periods of all tasks to be performed and project deliverables.

6. References - In alphabetical order, list citations for statements of fact included in the application/proposal. Copies of the reference documents may be requested.

7. Budget - The overall project budget must distinguish between §319 reimbursable expenses and *non-federal* match funds. In addition, separate budgets must be provided for cash versus in-kind match.

a. Cash match - as defined by 40 CFR 31.3, consists of “the grantee’s cash outlay, including the outlay of money contributed to the grantee or sub-grantee by other public agencies and institutions, and private organizations and individuals.”

b. In-kind match - is any donation of time, equipment, supplies, etc., where no actual cash changes hands between the grantee and the non-federal donating organization.

EXAMPLE 1: Boy Scout Troop donates 8 hours to plant seedlings

EXAMPLE 2: A company or landowner donates 300 ft² of fence material

Use the following to establish the value of in-kind services or provide other justification:

i. The 2003-04 **Prevailing Wage Rates for Counties** published by the Nevada State Labor Commission for construction and other types of labor, available online at: <http://www.laborcommissioner.com/counties04.html>.

ii. The local Farm Services Agency (FSA) cost share rates for equipment time (hourly or daily) *OR* the lowest of three estimates from local rental companies or contractors.

iii. The **Nevada 2003 Occupational Employment and Wage Data**, published by the Nevada Department of Employment, Training and Rehabilitation, online at: <http://detr.state.nv.us/lmi/data/oes/wage/2003/TOC000.htm>.

c. Itemize total costs by category as listed below. An example project budget is available in Attachment D.

i. Salaries - List the position title and base salary rate for wage-earning personnel. Salary rates (excluding fringe benefits) cannot exceed the federal Executive Service Level 4 (U.S. Code) daily rate (exclusive of fringe benefits), currently \$65.16/hr.

ii. Fringe Benefits - Calculated based on gross salary and expressed as a % of salary. Eligible costs include: federal and state unemployment tax, workman’s compensation, Medicare, retirement (social security tax), payroll assessment, and health insurance.

iii. Indirect Cost (IDC) - Charges are available only to entities that have a negotiated IDC rate with their cognizant agency.

iv. Operating - Itemize expenses such as: equipment rental, printing, postage, film developing, lab or field supplies, permit fees, etc.

v. Travel - cannot exceed state-approved per diem and mileage rates. Current rates are as follows:

- ◆ Breakfast: \$5.50
- ◆ Lunch: \$6.50
- ◆ Dinner \$14.00
- ◆ Lodging:
 - ◆ In-State: \$58.00 weekday; \$90 weekend
 - ◆ Out-of-State: \$90
- ◆ Vehicle mileage: \$0.375 per mile)

vi. Overhead - Itemize the specific costs included in the overhead rate. Costs associated with the following are unallowable:

- ◆ Entertainment
- ◆ Debt
- ◆ Finance charges
- ◆ Interest
- ◆ Lobbying expenses and political contributions
- ◆ Legal and professional services
- ◆ Staff or client relations and/or development

vii. Equipment - List all items \$500 or more.

viii. Subcontract - All conditions described above apply to any subcontract.

ATTACHMENT A

Nine Required Components of a Watershed-Based Plan

- 1.** An identification of the causes and sources or groups of similar sources that will need to be controlled to achieve the load reductions estimated in this watershed-based plan (and to achieve any other watershed goals identified in the watershed-based plan), as discussed in item (2) immediately below. Sources that need to be controlled should be identified at the significant subcategory level with estimates of the extent to which they are present in the watershed (e.g., X number of dairy cattle feedlots needing upgrading, including a rough estimate of the number of cattle per facility; Y acres of row crops needing improved nutrient management or sediment control; or Z linear miles of eroded streambank needing remediation).
- 2.** An estimate of the load reductions expected for the management measures described under paragraph (3) below (recognizing the natural variability and the difficulty in precisely predicting the performance of management measures over time). Estimates should be provided at the same level as in item (1) above (e.g., the total load reduction expected for dairy cattle feedlots; row crops; or eroded streambanks).
- 3.** A description of the NPS management measures that will need to be implemented to achieve the load reductions estimated under paragraph (2) above (as well as to achieve other watershed goals identified in this watershed-based plan), and an identification (using a map or a description) of the critical areas in which those measures will be needed to implement this plan.
- 4.** An estimate of the amounts of technical and financial assistance needed, associated costs, and/or the sources and authorities that will be relied upon, to implement this plan. As sources of funding, States should consider the use of their Section 319 program, State Revolving Funds, USDA's Environmental Quality Incentives Program and Conservation Reserve Program, and other relevant Federal, State, local and private funds that may be available to assist in implementing this plan.
- 5.** An information/education component that will be used to enhance public understanding of the project and encourage their early and continued participation in selecting, designing, and implementing the NPS management measures that will be implemented.
- 6.** A schedule for implementing the NPS management measures identified in this plan that is reasonably expeditious.
- 7.** A description of interim, measurable milestones for determining whether NPS management measures or other control actions are being implemented.
- 8.** A set of criteria that can be used to determine whether loading reductions are being achieved over time and substantial progress is being made towards attaining water quality standards and, if not, the criteria for determining whether this watershed-based plan needs to be revised or, if a NPS TMDL has been established, whether the NPS TMDL needs to be revised.
- 9.** A monitoring component to evaluate the effectiveness of the implementation efforts over time, measured against the criteria established under item (8) immediately above.

ATTACHMENT B

Permit Requirements for Implementation Projects

Required permits may include (but are not limited to):

- (1) The United States Army Corps of Engineers (USACE) Clean Water Act (CWA) Section 404 Permit for discharge and/or fill activities affecting waters of the US. Additional information regarding USACE's permitting requirements is available at:

<http://www.spk.usace.army.mil/cespk-co/regulatory/#Nevada>

The Section 404 permit application and instructions may be downloaded at:

<http://www.spk.usace.army.mil/pub/outgoing/co/reg/ENG4345.pdf>

(You may also contact the Nevada Regulatory Office at 775-784-5304.)

- (2) The Temporary Permit for Working in Waterways (formerly known as the Rolling Stock Permit) administered by NDEP's Bureau of Water Pollution Control (BWPC). Additional information regarding BWPC's permitting programs is available at:

<http://ndep.nv.gov/bwpc/forms.htm>

The Working in Waterways permit application and instructions may be downloaded at:

<http://ndep.nv.gov/bwpc/tmpwtrwy.pdf>

(You may also contact BWPC at 775-687-9418.)

- (3) The CWA Section 401 Water Quality Certification administered by NDEP's Bureau of Water Quality Planning (BWQP). Through this program, BWQP certifies that the proposed activity will not violate State or Federal water quality standards. Additional information regarding BWQP's program is available at:

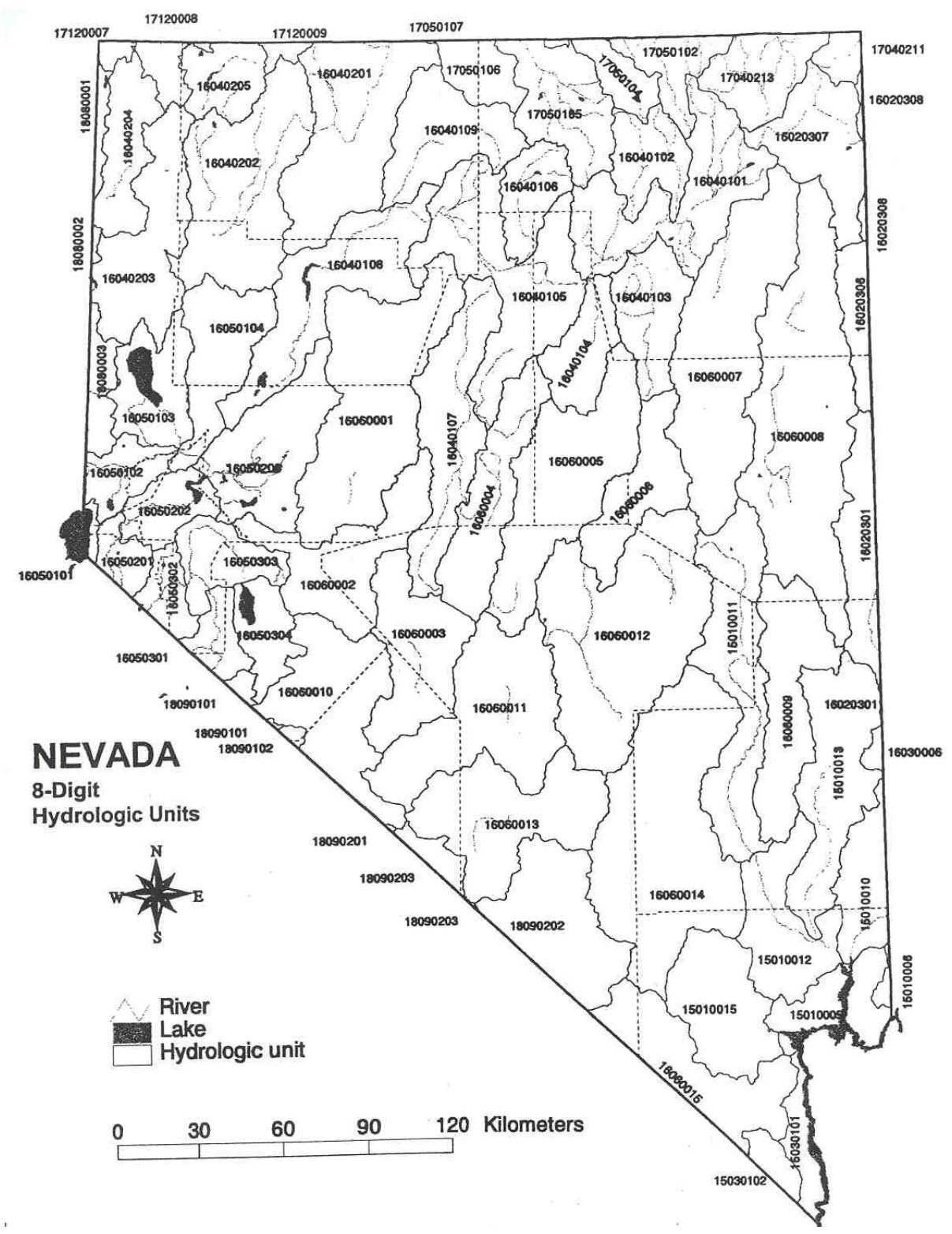
<http://ndep.nv.gov/bwqp/401cert.htm>

(You may also contact BWQP at 775-687-9444.)

Permit applications may require fees and/or surveys (e.g., cultural resources surveys, Threatened & Endangered Species surveys). The costs associated with applying for required permits may be included in the project budget. The project proponent may be asked to provide NPS Program staff with copies of the permit application(s) and/or issued permit(s).

ATTACHMENT C

Nevada 8-Digit Hydrologic Units



ATTACHMENT C (CONTINUED)

Nevada 8-Digit Hydrologic Units

HUC#	Catalog Name
15010005	Lake Mead
15010006	Grand Wash
15010010	Lower Virgin
15010011	White
15010012	Muddy
15010013	Meadow Valley Wash
15010015	Las Vegas Wash
15030101	Havasu-Mohave Lakes
15030102	Paiute Wash
16020301	Hamlin-Snake Valleys
16020306	Southern Great Salt Lake Desert
16020307	Pilot-Thousand Springs
16020308	Northern Great Salt Lake Desert
16030006	Escalante Desert
16040101	Upper Humboldt
16040102	North Fork Humboldt
16040103	South Fork Humboldt
16040104	Pine
16040105	Middle Humboldt
16040106	Rock
16040107	Reese
16040108	Lower Humboldt
16040109	Little Humboldt
16040201	Upper Quinn
16040202	Lower Quinn
16040203	Smoke Creek Desert
16040204	Massacre Lake
16040205	Thousand-Virgin
16050101	Lake Tahoe
16050102	Truckee
16050103	Pyramid-Winnemucca Lakes
16050104	Granite Springs Valley
16050201	Upper Carson
16050202	Middle Carson
16050203	Lower Carson
16050301	East Walker

HUC#	Catalog Name
16050302	West Walker
16050303	Walker
16050304	Walker Lake
16060001	Dixie Valley
16060002	Gabbs Valley
16060003	Southern Big Smokey Valley
16060004	Northern Big Smokey Valley
16060005	Diamond-Monitor Valley
16060006	Little Smoky-Newark Valley
16060007	Long-Ruby Valleys
16060008	Spring-Steptoe Valleys
16060009	Dry Lake Valley
16060010	Fish Lake-Soda Springs Valleys
16060011	Ralston-Stone Cabin Valleys
16060012	Hot Creek-Railroad Valleys
16060013	Cactus-Sarcobatus Flats
16060014	Sand Spring-Tikaboo Valleys
16060015	Ivanpah-Pahrump Valleys
17040211	Goose
17040213	Salmon Falls
17050102	Bruneau
17050104	Upper Owyhee
17050105	South Fork Owyhee
17050106	East Little Owyhee
17050107	Middle Owyhee
17120007	Warner Lakes
17120008	Guano
17120009	Alvord Lake
18080001	Surprise Valley
18080002	Madeline Plains
18080003	Honey-Eagle Lakes
18090101	Mono Lake
18090102	Crowley Lake
18090201	Eureka-Saline Valleys
18090202	Upper Amargosa
18090203	Death Valley-Lower Amargosa

ATTACHMENT D

Example Budget

Category	Rate	Total Budget	319(h) Grant	Cash Match	In-Kind Match
Salaries*	Hourly	\$50,000	\$30,000	\$20,000	
Associate Program Manager	\$21.00				
Assistant Program Manager	\$19.00				
Field Technician	\$16.50				
Fringe Benefits	25% of Salaries	\$12,500	\$7,500	\$5,000	
Travel	Approved State Rate	\$500		\$500	
Vehicle Mileage					
Per Diem					
Operating	Actual Cost	\$16,750	\$8,500	\$8,250	
Materials & Supplies			\$6,000	\$6,500	
Equipment Rental			\$2,500		
Postage, printing, copying, phone, film				\$1,750	
TOTAL DIRECT COSTS		\$79,750	\$46,000	\$33,750	
INDIRECT COSTS	12.5% of Direct Costs	\$9,969	\$5,750	\$4,219	
Equipment	Actual Cost	\$3,500	\$3,500		
BMP Installation	BreakdownBelow	\$18,000			\$18,000
Materials	Fair Market Value				\$9,000
Plants, fence, other					
Equipment					
Salaries	Hourly				\$9,000
Landowner/Volunteer	\$15.00				
Contractor	actual rate				
TOTAL		\$111,219	\$55,250	\$37,969	\$18,000
Total Match					\$55,969